



ANNO VICESIMO

**ELIZABETHAE II REGINAE**

A.D. 1971

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**No. 95 of 1971**

An Act to amend the Constitution Act, 1934, as amended.

[Assented to 3rd December, 1971]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short titles.

1. (1) This Act may be cited as the "Constitution Act Amendment Act (No. 2), 1971".

(2) The Constitution Act, 1934-1970, as amended by this Act and by all amendments (if any) amending the same prior to the enactment of this Act, may be cited as the "Constitution Act, 1934-1971".

(3) The Constitution Act, 1934-1970, is hereinafter referred to as "the principal Act".

Amendment of  
principal Act,  
s. 51—  
Exemptions

2. Section 51 of the principal Act is amended by inserting at the end of paragraph (h) the following passage:—

“; nor

(i) to any contract or agreement in respect of any bet made in the ordinary course of business with the South Australian Totalizator Agency Board, whether as principal or as agent; nor

- (j) to any contract or agreement to participate in any lottery or for the purchase of any ticket in a lottery conducted by the Lotteries Commission of South Australia where the contract or agreement or purchase was made or entered into in the ordinary course of business of the Commission; nor
- (k) to any contract, agreement or commission made, entered into or accepted in the ordinary course of business in respect of any policy of insurance issued by the State Government Insurance Commission or in respect of any loan made in the ordinary course of business by the South Australian Superannuation Fund Board under the Superannuation Act, 1969, as amended, or under any corresponding previous enactment; nor
- (l) to any contract or agreement made or entered into in the ordinary course of business—
  - (i) with the South Australian Housing Trust for the sale, purchase or letting of any land;
  - or
  - (ii) with the State Bank of South Australia or the Savings Bank of South Australia in respect of any loan whether by way of overdraft or otherwise; nor
- (m) to any contract, agreement, advance or payment made or entered into under, or any assistance granted pursuant to an arrangement or scheme referred to in, the Marginal Dairy Farms (Agreement) Act, 1971, the Rural Industry Assistance (Special Provisions) Act, 1971, or the Primary Producers Emergency Assistance Act, 1967; nor
- (n) to any royalty or commission paid by or on behalf of the Government in respect of any mining or quarrying activity on any land where the royalty or commission is calculated at no better rate or on no better conditions than would apply if the royalty or commission were ordinarily paid to a member of the public; nor
- (o) to any guarantee or contract, agreement, payment or condition relating to any guarantee under the Homes Act, 1941, as amended; nor

- (p) to any payment made by the Government to a member of Parliament out of moneys received by the Government from any insurer in respect of any policy of insurance relating to that member of Parliament”.

Amendment of  
principal Act,  
s. 52—  
Condition to  
be inserted in  
all public  
contracts.

3. Section 52 of the principal Act is amended—

- (a) by inserting in subsection (1) after the word “aforesaid” the passage “(except a contract, agreement or commission referred to in section 51 of this Act)”;

and

- (b) by inserting in subsection (2) after the word “commission” the passage “(except a contract, agreement or commission referred to in section 51 of this Act)”.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

M. L. OLIPHANT, Governor